

Remarks

In response to the Office Action dated June 02, 2004, Applicants elect for prosecution in this application all claims that belong to Group I, i.e., Claims 1-13.

A restriction to either Group I, consisting of Claims 1-13 drawn to a method for processing business metrics information in a system, classified in Class 707, subclass 200, Group II, consisting of Claims 14-18 and 26-29 drawn to a business metrics management system, classified in Class 707, subclass 102, Group III, consisting of Claims 19-25, drawn to a method for providing business management, classified in class 707, subclass 1, or Group IV, consisting of Claims 30-38, drawn to an apparatus and a computer readable medium, classified in class 707, subclass 101 was imposed. In response, Applicants elect, with traverse, to prosecute the invention of Group I, claims 1-13.

The restriction requirement is traversed because the invention set out by the claims in Groups I, II, III, and IV are clearly related. Applicants submit that a thorough search and examination of any Group would be relevant to the examination of the other Groups and would not be a serious burden on the Examiner. Additionally, requirements for election are not mandatory under 35 U.S.C. 121.

Further, Applicants submit that it has not been shown that the claims of Group I are patentably distinct from the Claims of Group II. Specifically, it has not been shown that either (1) the process as claimed can be practiced by another materially different apparatus, or (2) that the apparatus as claimed can be used to practice another materially different process as required by MPEP § 806.05(e). Rather, the Office Action, at page 3, merely suggests that Groups I, II, III and IV relate to "processing of data in database", "generating database or data structure", "database accessing", and "manipulating data structure", respectively. However, Applicants respectfully submit that the processes as claimed can not be practiced by another materially different apparatus, and that the apparatus as claimed can not be practiced by another materially different process. Accordingly, Applicants respectfully request that the restriction requirement be withdrawn.

Moreover, Applicant respectfully submits that the inventions set out by the claims in Groups I, II, III, and IV are not distinct because they each include business data metrics claimed in a similar fashion. Accordingly, Applicant respectfully submits that the restriction requirement is improper and should be withdrawn

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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